

VORYS

Vorys, Sater, Seymour and Pease LLP
Legal Counsel

52 East Gay St.
PO Box 1008
Columbus, Ohio 43216-1008

614.464.6400 | www.vorys.com

Founded 1909

FILE

Stephen M. Howard
Direct Dial (614) 464-5401
Direct Fax (614) 719-4772
Email smhoward@vorys.com

August 24, 2011

Ms. Betty McCauley, Secretary
Public Utilities Commission of Ohio
180 E. Broad St., 11th Floor
Columbus, OH 43215

Re: Case No. 11-4887-TP-CSS
Infotelecom v. The Ohio Bell Telephone Company
d/b/a AT&T Ohio, LLC

RECEIVED-DOCKETING DIV
2011 AUG 24 PM 4:57
PUCO

Dear Ms. McCauley:

Pursuant to Rule 4901-9-01(E) of the Ohio Administrative Code, Infotelecom, LLC ("Infotelecom") respectfully states that it believes that it is about to have service terminated because AT&T Ohio sent a notice to it indicating that it intended to terminate service as of September 1, 2011. See the attached notice. Infotelecom has paid and will agree to pay during the pendency of the complaint that it filed in this case all amounts to AT&T Ohio that are not in dispute. Infotelecom respectfully requests that the Commission provide assistance to it to prevent the termination of service during the pendency of this complaint by directing AT&T Ohio to refrain from terminating service to Infotelecom.

Infotelecom is not aware of whether the Director of the Service Monitoring and Enforcement Department, the Chief of the Telecommunications Section of the Utilities Department, and the Chief of the Telecommunications Section of the Legal Department have been notified pursuant to Rule 4901:1-7-29(A) of the Ohio Administrative Code.

Thank you for your cooperation in this matter.

Sincerely yours,



Stephen M. Howard
Attorneys for Infotelecom, LLC

SMH/mjc

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Technician SM Date Processed AUG 25 2011



Marc A. DeNegri
General Attorney

AT&T Legal Department
1 AT&T Way
Suite 3A106
Bedminster, NJ 07921

T: (908) 234-8844
F: (847) 513-5637
marc.denegri@att.com

August 17, 2011

VIA OVERNIGHT MAIL AND FACSIMILE

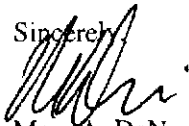
Andre Temnorod, CEO
Infotelecom, LLC
1228 Euclid Avenue, Suite 390
Cleveland, Ohio 44115
Tel: (216) 373-4600
Fax: (216) 373-4699

Re: Notice of Termination of 13-State Interconnection Agreement

Dear Mr. Temnorod:

As you know, on July 20, 2011, certain AT&T Inc. owned ILECs (the "AT&T ILECs") advised Infotelecom, LLC ("Infotelecom") that, on August 19, 2011, the parties' 13-state interconnection agreement (as amended or modified, the "ICA") would be terminated and the AT&T ILECs would disconnect and terminate all existing services provided under the ICA, and would no longer receive service orders or provision any new services to Infotelecom pursuant to the ICA. A copy of the July 20th letter is enclosed for your convenience. On or about August 4, 2011, the AT&T ILECs and Infotelecom agreed that the parties would temporarily suspend litigation activities while exploring the possibility of settlement. AT&T further agreed to provide a fifteen (15) day notice of termination in the event it subsequently determined that settlement discussions were unlikely to prove fruitful. AT&T has made that determination. Therefore, in accordance with the parties' August 4th agreement, this letter will serve as formal notice that, on September 1, 2011, the ICA will be terminated and the AT&T ILECs will disconnect and terminate all existing services provided under the ICA, and will no longer receive service orders or provision any new services to Infotelecom pursuant to the ICA.

Despite the fact that the parties have reached an impasse, AT&T will consider and respond to any subsequent settlement proposals received from Infotelecom. However, AT&T does not have any further proposals or offers beyond those already conveyed during our recent settlement discussions.

Sincerely,

Marc A. DeNegri

cc: Alexander Gertsburg (*via overnight mail*)
Infotelecom, LLC
1228 Euclid Avenue, Suite 390
Cleveland, Ohio 44115



Marc A. DeNegri
General Attorney

AT&T Legal Department
1 AT&T Way
Suite 3A106
Bedminster, NJ 07921

T: (908) 234-8844
F: (847) 513-5637
marc.denegri@att.com

July 20, 2011

VIA OVERNIGHT MAIL AND FACSIMILE

Andre Temnrod, CEO
Infotelecom, LLC
1228 Euclid Avenue, Suite 390
Cleveland, Ohio 44115
Tel: (216) 373-4600
Fax: (216) 373-4699

Re: Notice of Termination of 13-State Interconnection Agreement

Dear Mr. Temnrod:

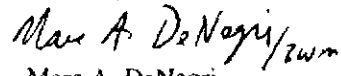
Reference is hereby made to that certain 13-state interconnection agreement (the "13-State ICA") entered into by and between certain AT&T Inc. owned ILECs (the "AT&T ILECs") and Infotelecom, LLC ("Infotelecom"), as such 13-State ICA was amended by the First Amendment Superseding Certain Intercarrier Compensation, Interconnection and Trunking Provisions (the "First Amendment", and together with the 13-State ICA, collectively referred to as the "ICA"). All capitalized terms not defined herein shall have the meanings ascribed to such terms as set forth in the ICA.

As you know, on March 25, 2011, the AT&T ILECs advised Infotelecom that in the event it failed to cure the material breach of the ICA within forty-five days, the AT&T ILECs would pursue any and all rights and remedies they have under the ICA, their tariffs, and/or by law, including but not limited to, termination of the ICA. The deadline to cure the material breach was May 9, 2011. A copy of the March 25th material breach notice is enclosed for your convenience. On May 5, 2011, Infotelecom filed a lawsuit (the "Lawsuit") against the AT&T ILECs in the United States District Court, District of Connecticut (the "Court")¹. In connection with the Lawsuit, the AT&T ILECs agreed to temporarily forbear from terminating service to Infotelecom until the Court either (i) entered an order granting the AT&T ILECs' Motion to Dismiss or (ii) entered an order denying Infotelecom's Motion for Preliminary Injunction, whichever occurred first. On July 15, 2011, the Court dismissed Infotelecom's state law claim and Infotelecom filed a Notice of Appeal on July 19, 2011 (the "Appeal"). As part of the Joint Stipulation filed by the parties in connection with the Appeal, the AT&T ILECs agreed to provide Infotelecom with an additional thirty (30) day written notice of disconnection and termination.

¹ Civil Action No. 3:11-cv-00739-JCH.

In accordance with Section 5.3 of the General Terms and Conditions of the ICA, this letter will serve as an additional formal written notice that the ICA will be terminated on August 19, 2011 and the AT&T ILECs will disconnect and terminate all existing services provided under the ICA, and will no longer receive service orders or provision any new services to Infotelecom pursuant to the ICA.

Sincerely,


Marc A. DeNegri

cc: Alexander Gertsburg (*via overnight mail*)
Infotelecom, LLC
1228 Euclid Avenue, Suite 390
Cleveland, Ohio 44115